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June 26, 2018

VIA ECF

Honorable A. Kathleen Tomlinson
100 Federal Plaza
Courtroom 910
Central Islip, NY 11722-9014

Re: Abante Rooter and Plumbing, Inc. v. Shore Funding Solutions, Inc.
Case No.: 2:17-cv-06499-ADS-AKT

Dear Magistrate Judge Tomlinson:

We represent the Plaintiff in the above referenced matter. Per my discussion with your Honor's clerk, please be reminded that I appeared for a Discovery Status Conference on June 19, 2018. At that time, counsel for Defendant, Mr. Clifford Olshaker, failed to appear for the Conference. Forty-five minutes after the scheduled time, we were able to contact Mr. Olshaker and the Court allowed him to appear by phone. When the Court inquired as to why counsel failed to respond to our discovery demands served in February or respond to our multiple good faith attempts to discuss the case and his failure to respond to discovery, Mr. Olshaker explained that he is purportedly having client issues and that he would be moving to withdraw as Counsel. The Court expressly directed Mr. Olshaker to file this motion on or before Monday, June 25th or it would permit Plaintiff to apply for a default judgement against him and his client.

To date, Mr. Olshaker has failed to make such a motion. As such, we intend to file our default motion shortly. We thank the Court for its courtesies.

Respectfully submitted,

Ross H. Schmierer, Esq.

cc: All counsel of record (via ECF)

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